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November 15, 2021

VIA ECF AND EMAIL

Honorable Lorna B. Schofield
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *United States v. Sohrab Sharma et al.*, 18 Cr. 340 (LGS)

Dear Judge Schofield:

Pursuant to this Court's Order of November 8, 2021 (Dkt. 542) in this case, claimants Jacob Zowie Thomas Rensel, Wang Yun He, Mateusz Ganczarek, Chi Hao Poon, King Fung Poon, Jae J. Lee, and Rodney Warren (collectively, "Claimants") hereby submit this letter to update the Court as to how Claimants intend to proceed in this action. As outlined below, Claimants intend to proceed with the ancillary third-party amended petition pursuant to 21 U.S.C. § 853(n) in this case (the "Amended Petition"), finalize a class default judgement in the Southern District of Florida against Centra Tech, and amend the Amended Petition to enforce the expected class default judgment against the funds the Government seized from Centra Tech.

First, Claimants intend to proceed with the Amended Petition seeking disgorgement of the proceeds from the sale of 100,000 Ether seized from Centra Tech that the Government keeps withholding from the Claimants and Class. As Claimants will explain in later filings, the Government seized the funds from Centra Tech (not from Sohrab Sharma, the actual criminal defendant in this matter), so the funds properly belong to the Claimants and the Class.

Second, Claimants will be seeking a class default judgment in *Rensel v. Centra Tech, Inc.*, No. 17-24500-CIV, 2021 WL 4134984 (S.D. Fla. Sept. 10, 2021). The Class consists of all victims who invested in the Centra Tech ICO, and six of the seven Claimants have been named as Class representatives. Claimants intend to enforce the default judgement against the seized Centra Tech funds.

Third, Claimants will seek this Court's leave to amend—after obtaining the default judgment or at a time otherwise directed by this Court—the Amended Petition to seek remuneration of the entire Class's damages. Claimants intend to amend the Amended Petition because, *inter alia*, the Class representative-Claimants and Class counsel owe fiduciary duties to all Class Members; the Class representative- Claimants have standing to raise claims and enforce a judgment on behalf of the entire Class of victims; and the Government cannot dispute that the Class's investments are traceable directly to the entirety of the 100,000 ETH seized/withheld by the Government. *See, e.g.*, ECF No. 477, at pg. 8 (Government opposing the

LEVI&KORSINSKYLLP

November 15, 2021

Page 2 of 2

Amended Petition's tracing analysis by reasoning "[i]f the Receiving Wallets had received only 100,000 Ether units from ICO investors, the Amended Petition's tracing allegations would set forth a plausible (indeed, a strong) claim that the 100,000 Ether units seized from the Seizure Wallet included the 857.45 Ether units invested by six of the Claimants. But . . . the Receiving Wallets raised well in excess of 100,000 Ether units from ICO investors, and a significant portion of those Ether funds were dissipated by the defendants, rather than being routed to the Seizure Wallet."). Because the Government persists in refusing to collaborate for a potential resolution that would benefit the entire Class, Claimants intend to amend the Amended Petition to seek return of the funds seized from Centra Tech to the Class of investors.

Counsel for Claimants are available to answer any questions that the Court may have at the Court's convenience, and thank the Court for its attention to this matter.

Respectfully submitted,

/s/ Donald J. Enright.

Cc: All other counsel of record via ECF and Email.